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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

TYLER ERDMAN,

Plaintiff,

against

ADAM VICTOR,

Defendant.

Case No.: 1:20-cv-4162
(LGS)(GWG)

AFFIRMATION

Pursuant to 28 U.S.C. §1746, Emilio Rodriguez, declares, under the penalty of perjury, the following to be true:

1. I am associated with POLIZZOTTO & POLIZZOTTO LLC, counsel to Adam Victor ("Defendant"), defendant in the above-captioned action. I submit this Affirmation as required by the Order of the Court dated August 25, 2023.
2. The Order directed answers to certain questions posed in Plaintiff's email to me dated July 21, 2023. These questions were in reference to the document production that took place in March 2023.
3. The first was to provide "a list of repositories that were searched such as details to email accounts, hard drives, phones, etc." The collection log attached as Exhibit A

lists all the repositories from which the documents were produced, which included the reactivated email accounts listed in Defendant's Affidavit of September 6, 2023, as well as the only apps on his phone which contained documents, namely Adobe and Dropbox.

4. Next was to provide dates of when those repositories were collected for review such as when emails were exported from accounts, when data was taken from devices, etc. The attached collection log responds to this question as well.

5. The third request was to provide "custodian information that details where files came from such as what repository they came from such as what email accounts or hard drives." By September 13, as directed by the Court in its Order dated August 26, 2023, we will be providing what is known as an "overlay file", which will contain fields such as "edfolder" and "edpath", that will convey this metadata.

6. Fourth, a request was made for "a native file overlay for documents that have been produced." On or before September 13, we will provide an export of all natives with a load file of additional metadata such as "edpath", "edfolder", "author", "lastauthor", "allemailparties", and "datelastmodified".

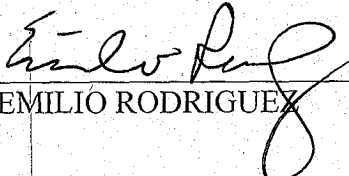
7. The fifth request was for a metadata overlay to include any metadata captured such as file path, author information, etc. The natives export described above will satisfy this request as well.

8. The last request was for any responsive documents that were removed or excluded from the document production as part of the "deduping" procedure that we had described to the Court in earlier submissions. The data was globally "deduped" by our document provider by utilizing an "allemailparties" field which contained an amalgamation

of the "to, from, cc, bcc" fields. Therefore, the providing party provides a document once so long as the information as to all the recipients is provided as well. This manner of eliminating duplicates is standard procedure. Therefore, there is no need to produce duplicates of documents already produced.

WHEREFORE, Defendant asks the Court to deem the answers contained in its submissions of September 6, 2023 as having answered the requests put forth by the Plaintiff, and for any and all further relief the Court deems just and proper.

Dated: Brooklyn, New York
September 6, 2023



EMILIO RODRIGUEZ